Beth Burris/SCB/04/USCOURTS
(Bankr Judge)

07/29/2009 09:28 AM

To
"John R. Cantrell Jr." <lawyer@cantrellclan.com>

cc
"Ted Von Keller" <tvonkeller@leathbouchlaw.com>

Subject
Re: 08-80250 Killian Order Request for Clarification

Gentlemen:
The hearing on the Debtors' motion to review Green Tree's conduct in this case is scheduled within the adversary because that is where and how it was presented to the court. Therefore, Debtors have whatever discovery rights such a party would have, subject to any objections thereto that are available to Green Tree. You will have to research such a matter for yourselves to determine your respective rights. Any discovery disputes or other matters should be brought to the court's attention formally as provided in any applicable rules or authorities. I also call the parties' attention to any relevant provisions of docket no. 14, which is the court's prior order regarding the timing of discovery. Regarding that order, I will hereby relieve you of the duty to file a joint pretrial order by August 31.

I believe that any decision as to whether the Debtors attend the hearing or not is a decision they must make after consultation with counsel and therefore I have no comment.

Beth Burris